



Docket No.: MASIMO.55CP1DV2

Customer No. 20,995  
I PW

### INFORMATION DISCLOSURE STATEMENT

Applicant : Diab et al.  
App. No. : 10/700,324  
Filed : November 3, 2003  
For : METHOD AND APPARATUS FOR  
DEMODULATING SIGNALS IN A PULSE  
OXIMETRY SYSTEM  
Examiner : Unknown  
Group Art Unit : 3736

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Enclosed is form PTO-1449 listing twenty-eight references. Copies of disclosed U.S. patents and/or publications are not included pursuant to PTO waiver of the requirement under 37 C.F.R. § 1.98(a)(2)(i) for applications filed after June 30, 2003. Copies of other references, if listed, are enclosed.

This Information Disclosure Statement is being filed before the receipt of a first Office Action on the merits, and presumably no fee is required in accordance with 37 C.F.R. § 1.97(b)(3). If a first Office Action on the merits was mailed before the mailing date of this Statement, the Commissioner is authorized to charge the fee set forth in 37 C.F.R. § 1.17(p) to Deposit Account No. 11-1410.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: Aug 9, 2004

By: Lee W. Henderson

Lee W. Henderson, Ph.D.  
Registration No. 41,830  
Attorney of Record  
Customer No. 20,995  
(949) 760-0404

FORM PTO-1449 U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE  <b>O I P E</b> INFORMATION DISCLOSURE STATEMENT BY APPLICANT  AUG 11 2004 (USE SEVERAL SHEETS IF NECESSARY)			ATTY. DOCKET NO. MASIMO.55CP1DV2	APPLICATION NO. 10/700,324
			APPLICANT Diab et al.	
			FILING DATE November 3, 2003	GROUP 3736

## U.S. PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE (IF APPROPRIATE)
1	RE 35,122	12/19/95	Corenman et al.			
2	3,638,640	02/01/72	Shaw			
3	3,704,706	12/05/72	Herczfeld et al.			
4	4,407,290	10/04/83	Wilber			
5	4,773,422	09/27/88	Isaacson et al.			
6	4,785,463	11/15/88	Janc et al.			
7	4,824,242	04/25/89	Frick et al.			
8	4,848,901	07/18/89	Hood Jr.			
9	4,863,265	09/05/89	Flower et al.			
10	4,867,571	09/19/89	Frick et al.			
11	4,948,248	08/14/90	Lehman			
12	5,276,705	01/04/94	Higgins			
13	5,349,952	09/27/94	McCarthy et al.			
14	5,521,938	05/28/96	Stewart et al.			
15	5,555,882	09/17/96	Richardson et al.			
16	5,579,341	11/26/96	Smith et al.			
17	5,640,416	06/17/97	Chalmers			
18	5,919,134	07/06/99	Diab			
19	5,940,346	08/17/99	Sadowsky et al.			
20	6,229,856	05/08/01	Diab et al.			
21	6,643,530	11/04/03	Diab et al.			

## FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
				YES	NO		
22	DE 3328862 A1	02/28/85	Deutschland				
23	EP 0 335 357	03/29/89	Europe				
24	EP 0 761 159 A2	08/06/96	Europe				

EXAMINER	DATE CONSIDERED
*EXAMINER: INITIAL IF CITATION CONSIDERED, WHETHER OR NOT CITATION IS IN CONFORMANCE WITH MPEP 609; DRAW LINE THROUGH CITATION IF NOT IN CONFORMANCE AND NOT CONSIDERED, INCLUDE COPY OF THIS FORM WITH NEXT COMMUNICATION TO APPLICANT.	

FORM PTO-1449 U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE		ATTY. DOCKET NO. MASIMO.55CP1DV2	APPLICATION NO. 10/700,324
<p style="text-align: center;">O INFORMATION DISCLOSURE STATEMENT BY APPLICANT</p> <p>AUG 11 2003 U.S. PATENT &amp; TRADEMARK OFFICE USE SEVERAL SHEETS IF NECESSARY)</p>		APPLICANT Diab et al.	
		FILING DATE November 3, 2003	GROUP 3736

FOREIGN PATENT DOCUMENTS							
EXAMINER INITIAL	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
						YES	NO
25	JP 2002-51129	04/16/02	Japan				
26	WO 94/09698	09/24/93	PCT				
27	WO 98/46125	04/10/98	PCT				
28	WO 99/52420	10/21/99	PCT				

EXAMINER INITIAL	OTHER DOCUMENTS (INCLUDING AUTHOR, TITLE, DATE, PERTINENT PAGES, ETC.)	
29		
30		
31		
32		
33		

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EXAMINER	DATE CONSIDERED
<p>*EXAMINER: INITIAL IF CITATION CONSIDERED, WHETHER OR NOT CITATION IS IN CONFORMANCE WITH MPEP 609; DRAW LINE THROUGH CITATION IF NOT IN CONFORMANCE AND NOT CONSIDERED, INCLUDE COPY OF THIS FORM WITH NEXT COMMUNICATION TO APPLICANT.</p>	

Case Docket No. MASIMO.55CP1DV2  
Date: August 6, 2004



## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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For : METHOD AND APPARATUS  
FOR DEMODULATING  
SIGNALS IN A PULSE  
OXIMETRY SYSTEM  
Examiner : Unknown  
Group Art Unit : 3736

I hereby certify that this correspondence and all marked attachments are being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on

August 9, 2004

(Date)

Lee W. Henderson, Ph.D., Reg. No. 41,830

## TRANSMITTAL LETTER

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Enclosed for filing in the above-identified application are:

- (X) An Information Disclosure Statement.
- (X) A PTO Form 1449 listing twenty-eight (28) references; seven (7) of which are enclosed.
- (X) The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment, to Account No. 11-1410.
- (X) Return prepaid postcard.

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